

THIS DISPOSITION IS NOT
CITABLE AS PRECEDENT OF THE TTAB JUNE 15, 99

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re Frederick C. Walsh

Serial No. 75/049,576

Donna M. Weinstein of Fish & Richardson, PC for Frederick
C. Walsh

Henry S. Zak, Senior Examining Attorney, Law Office 108
(David Shallant, Managing Attorney)

Before Seeherman, Quinn and Bucher, Administrative
Trademark Judges.

Opinion by Seeherman, Administrative Trademark Judge:

Frederick C. Walsh has appealed from the refusal of
the Senior Trademark Examining Attorney to register MOVING
RESOURCES for the following services:

Moving and relocation consulting
services

Commercial and residential moving
services, namely, furniture moving,
moving van services, moving van
transport, packing articles for

transportation, warehouse storage services.

Packing materials supply services.¹

The application is based on an asserted intent-to-use the mark in commerce.

Registration has been refused pursuant to Section 2(e)(1) on the ground that applicant's mark is merely descriptive of applicant's services.

Applicant and the Examining Attorney filed briefs. An oral hearing was not requested.

We affirm the refusal.

A term is merely descriptive within the meaning of Section 2(e)(1) if it immediately conveys knowledge of the ingredients, qualities, or characteristics of the goods [or services] with which it is used. **In re Gyulay**, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987).

The Examining Attorney contends that MOVING RESOURCES is merely descriptive because the term describes a feature of the services, namely, providing a source of supply and support and a measure of expertise in the field of moving and relocation. In support of this position, the Examining Attorney points to the dictionary definitions of resource as meaning "a source of supply or support: an available

¹ Application Serial No. 75/049,576, filed January 29, 1996.

means--usu. used in pl.; a source of information or expertise,"² which he has made of record. Thus, he asserts that the words MOVING RESOURCES "immediately and unambiguously inform a viewer about the nature of the services rendered--providing resources, both material and consultative, for the activity of moving households or businesses." Brief, p. 2.

Applicant argues that the word "resources" as used in the mark could suggest virtually any good or service that might help facilitate a move, and therefore that MOVING RESOURCES has an indefinite connotation and is only suggestive, not merely descriptive. In response to this argument, the Examining Attorney has made of record numerous third-party registrations for marks which include the word RESOURCES in which this word has been disclaimed. These registrations are for a variety of services, including services similar to applicant's, including RMR RELOCATION MANAGEMENT RESOURCES, INC. for moving and relocation services for household goods and business furnishings; MOBILITY RESOURCES for relocating services and consulting services related thereto; and ADVANTAGE RESOURCES for job outplacement services, business relocation services, personal relocation services, namely,

² Webster's New Collegiate Dictionary.

spousal relocation. The Examining Attorney contends that these registrations show RESOURCES has consistently been treated as a descriptive word, and not the imprecise indefinite term which applicant asserts it to be.

We find that MOVING RESOURCES, when used in connection with moving and relocation consulting services, commercial and residential moving services, and packing materials supply services, directly conveys information concerning a feature or characteristic of these services. The definition of "resources" includes the providing of information, expertise, supplies and support, the very services applicant provides in connection with moving, such that when the words MOVING and RESOURCES are combined as MOVING RESOURCES, it immediately conveys to consumers what the nature of applicant's services is.

Decision: The refusal of registration is affirmed.

E. J. Seeherman

T. J. Quinn

D. E. Bucher
Administrative Trademark Judges
Trademark Trial and Appeal Board